Before the Federal Communications Commission Washington, DC

In the Matter of)	
Amendment of Section 202(b), Table of Allotments, FM Broadcast Stations (Hawaiian Ocean View Estates, Hawaii))) RM-))	RECEIVED
To: Chief, Allocations Branch	·	TOTAL COMMITTEE
PETITION	FOR RULEMAKING	OFFICE OF THE SECRETARY

James Stonecipher ("Stonecipher"), by his attorney, hereby requests that the Commission amend the Table of Allotments as follows:

Community	Current	Proposed
Hawaiian Ocean View		
Estates		273A

In support thereof, the following is stated:

As seen in the attached Technical Exhibit, the Hawaiian Ocean View Estates allotment can be made in full accord with the Commission's spacing rules. Attached hereto is a spacing study which demonstrates that Channel 273A can be made at 19° 05′ 37" N, 155° 46′ 43" W, which will prevent any shortspacing from occurring with any currently authorized or proposed full-power facility.

Adoption of this proposal will be in the public interest.

Approval of this proposal will allow Stonecipher to provide service to members of the public in Hawaiian Ocean View Estates.

Accordingly, James Stonecipher respectfully requests that the Commission amend the FM Table of Allotments to add Channel 273A to Hawaiian Ocean View Estates, Hawaii.

No. of Copies rec'd_ List A B C D E WHEREFORE, it is respectfully requested that this Petition be adopted, and the Commission request comment on the proposal contained herein.

Respectfully submitted,

JAMES STONECIPHER

By: Dan J. Alpert

His Attorney

1250 Connecticut Ave., NW #700 Washington, DC 20036 (202) 637-9158

May 14, 1993

PETITION FOR RULE MAKING
MR. JAMES STONECIPHER
ASSIGN CHANNEL 273A
HAWAIIAN OCEAN VIEW ESTATES, HAWAII
April 29, 1993

Technical Exhibit
TE-1

Orchid Isle Electronics PO Box 416 Kurtistown, Hawaii 96760

PETITION FOR RULE MAKING MR. JAMES STONECIPHER DBA ASSIGN CHANNEL 273A HAWAIIAN OCEAN VIEW ESTATES, HAWAII April 29, 1993

- This Technical exhibit supports the Petition for Rule Making being filed by Mr. James Stonecipher to allot channel
 273A to Hawaiian Ocean View Estates, Hawaii as its first FM allotment.
- 2. Once the channel is allotted to Hawaiian Ocean View Estates Mr. Stonecipher will file an application in a timely manner for a construction permit for this channel.
- 3. Exhibit #1 is a map of the area showing where Channel 273A can meet all of the spacing requirements of section 73.207 of the Commission's rules and provide a 3.16 mv/m signal over the entire city of Hawaiian Ocean View Estates. Exhibit #2 is an allocation tabulation (19 degrees 05' 37" North Latitude, 155 degrees 46' 43" West Longitude), demonstrating that Channel 273A can be allotted to Hawaiian Ocean View Estates.
- 4. Hawaii Ocean View Estates exists as a political entity in the County of Hawaii. See attached letter Exhibit #3 from the County of Hawaii Planning Department. Additionally, the U.S. Post Office has approved this location for issuance of a Z^{TD} code. Actual issuance of a Zip code is pending.
- 5. Approval of this request would eventually provide aural service to approximately 2,000 persons living in the area (1990 census) including Hawaiian Ocean View Estates, Naalehu and

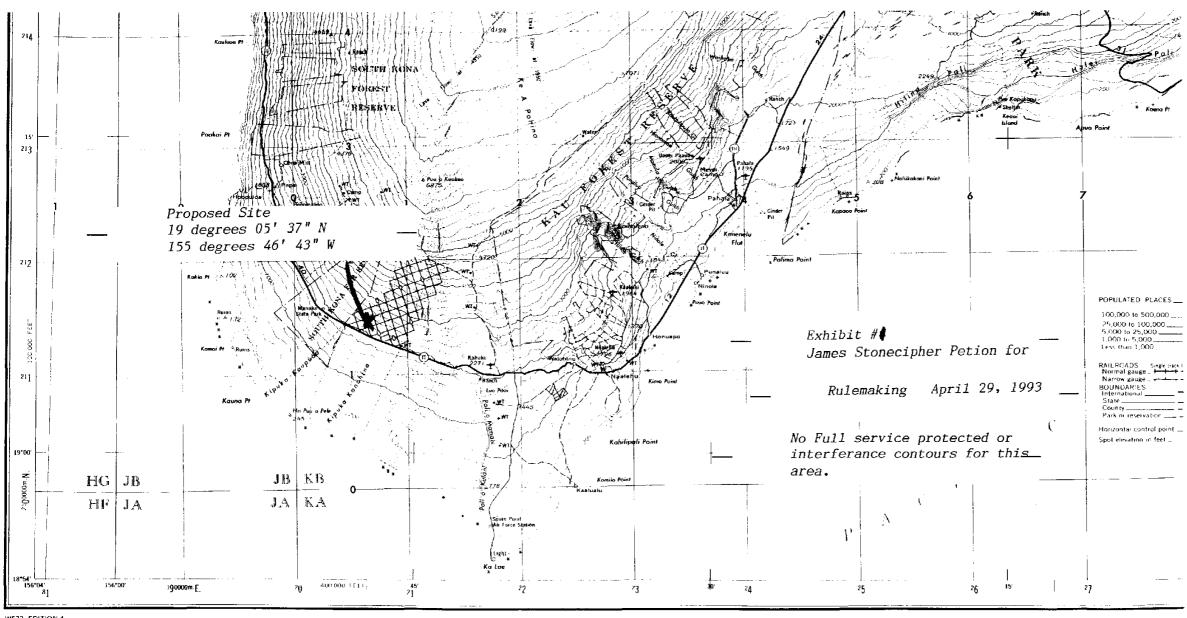
Petition for Rulemaking		<u> </u>			
Mr. James Stonecipher	April 29, 1993	TE 1	Page	2 of	2

6. It is thereby proposed to make the following allotments:

Hawaiian Ocean View Estates 273A

She Length Consulting Engineer

April 29 1993



W532, EDITION 4

Compiled in 1975 by the U. S. Geological Survey from 124,000 scale maps surveyed 1956–67, from aerial photographs taken 1965. From NOS charts dated 1970–74, and by reference to Army Map Service 1.250,000 scale maps dated 1951, 1962, and other sources Surpercedes Army Map Service maps dated 1951, 1962.

Control by USGS_NOS/NOA4_and Hawari State Survey

Universal Transverse Mercator projection. Old Hawaiian datum $100,\!000\text{-}\mathrm{filo}1$ gold based on Hawanan Islands coordinate system some 1

Gelected hydrographic data compred from NO5 courts. The information is not intended to making attornation purposes

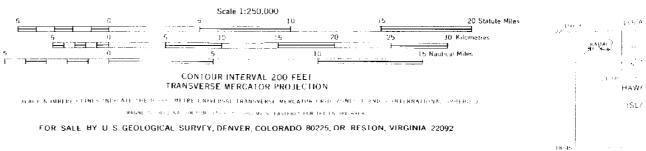


EXHIBIT #2

ALLOCATION STUDY FOR HAWAIIAN OCEAN VIEW ESTATES, HAWAII

Reference	Class A	Search Date
19 degrees 05' 37" N.		4/29/93
155 degrees 46' 43" W.	Ch. 273A	

No Co. Channel Assignments Exist within two hundered nautical miles of the proposed facility.

No 200/400/600khz removed assignments exist within two hundred miles of the proposed facility.

No 10.6/10.8 Mhz removed assignments exist within two hundred miles of the proposed facility.

Glen L. Zeigler Jr.

Consulting Engineer April 29, 1993

Norman K. Hayashi Director





Planning Department

County of Hawaii • 25 Aupuni Street, Room 109 • Hilo, Hawaii 96720 • (808) 961-8288

November 10, 1992

Mr. Glen L. Zeigler, Jr. Consulting Engineer P.O. Box 416 Kurtistown, HI 96760

Dear Mr. Zeigler:

Zoning Inquiry
Hawaiian Ocean View Estates Subdivision

The Hawaiian Ocean View Estates Subdivision was created via approval by the Hawaii County Planning and Traffic Commission. It is located at Kahuku, Ka'u, Hawaii.

In order to construct a small radio station within the subject subdivision, a special permit must be applied to and approved by the Hawaii County Planning Commission. Copy of the application form is enclosed for your information and use.

Should you have any further questions, please feel free to contact Masa Onuma of this office.

Sincerely,

NORMAN K. HAYASHI Planning Director

MO:1m 7027D(1)

Enclosure

Petition For Rulemaking

James Stonecipher Exhibit 3

April 29, 1993